

Message Text

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TO AMEMBASSY MADRID PRIORITY

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TAGS: ENRG, TECH, SP

SUBJECT: U.S. NON-PROLIFERATION ACT OF 1978

REFERENCE: A) MADRID 02760; B) STATE 52502

1. REFTEL A REQUESTS DEPARTMENT TO PROVIDE RELATIVELY
CONCISE SUMMARY OF USG NUCLEAR LICENSING REQUIREMENTS AND
PROCEDURES AS THEY ARE DEVELOPED FOR IMPLEMENTATION OF
NON-PROLIFERATION ACT OF 1978 FOR EMBASSY USE IN DIS-
CUSSIONS WITH SPANISH. DEPARTMENT IS CURRENTLY CHAIRING
AN INTERAGENCY WORKING GROUP WHICH HAS BEEN ESTABLISHED TO
A) FORMULATE THE SEVERAL SPECIFIC EXECUTIVE BRANCH
PROCEDURES REQUIRED TO BE DEVELOPED WITHIN 90 DAYS FROM
ENACTMENT (JUNE 8), AND B) REVIEW THE COMPLEMENTARY NRC
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REGULATIONS, WHICH THE LAW SPECIFICALLY REQUIRES TO BE
DEVELOPED WITHIN PERIODS OF 60 AND 120 DAYS FROM ENACTMENT.

2. WORK ON THE EXECUTIVE BRANCH PROCEDURES AND REGULATIONS
IS PROGRESSING STEADILY AND, ALTHOUGH CONSIDERABLE FINAL
DRAFTING AND EDITING REMAINS TO BE DONE, THERE APPEARS TO
BE NO REMAINING SUBSTANTIVE DIFFERENCES AMONG THE AGENCIES

INVOLVED. ACCORDINGLY, DEPARTMENT IS HOPEFUL THAT A FINAL VERSION OF THESE PROCEDURES CANBE COMPLETED IN THE NEAR FUTURE. THE DRAFTING AND STAFF REVIEW OF PROPOSED NRC

REGULATIONS COVERING NUCLEAR EXPORT LICENSING (10 CFR 110) APPEARS TO INVOLVE SEVERAL MORE CONTROVERSIAL ISSUES. MOREOVER, THE PROPOSED REGULATIONS MUST BE APPROVED BY THE FULL NRC STAFF, AS WELL AS THE COMMISSION, FOLLOWING RECEIPT OF EXECUTIVE BRANCH COMMENTS.

3. IN DEVELOPING PROPOSED EXECUTIVE BRANCH PROCEDURES, AND IN COMMENTING ON NRC REGULATIONS, THE INTERAGENCY WORKING GROUP HAS ENDEAVORED CONSTANTLY TO FOLLOW THE INTENT OF THE ACT TO ;CONFIRM THE RELIABILITY OF THE UNITED STATES IN MEETING ITS COMMITMENTS . . . TO NATIONS WHICH ADHERE TO EFFECTIVE NON-PROLIFERATION POLICIES BY ESTABLISHING PROCEDURES TO FACILITATE THE TIMELY PROCESSING OF REQUESTS FOR SUBSEQUENT ARRANGEMENTS AND EXPORT LICENSES."

4. ALTHOUGH THE NEW PROCEDURES WILL BE PROMPTLY PUBLISHED IN THE FEDERAL REGISTER, AN ADVANCE COPY WILL BE FORWARDED TO EMBASSY AS SOON AS WE HAVE REASONABLY FINAL VERSION AVAILABLE. ADDITIONALLY, IN VIEW OF THE IMPORTANCE OF FULL UNDERSTANDING OF PROCEDURES BY SPANISH TO CONTINUED US/ SPAIN COOPERATION IN NUCLEAR ENERGY, DEPARTMENT IS PREPARED TO SEND TECHNICAL REPRESENTATIVE OF DEPARTMENT'S EXPORT-UNCLASSIFIED

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IMPORT COORDINATION STAFF TO MADRID IN MID APRIL FOR PURPOSE OF PROVIDING EMBASSY AND SPANISH REPRESENTATIVES WITH DETAILED EXPLANATION OF HOW NEW PROCEDURES ARE DESIGNED TO WORK. DEPARTMENT WOULD APPRECIATE RECEIVING EMBASSY VIEWS AS TO DESIRABILITY AND PREFERRED TIMING OF SUCH A VISIT; PARTICULARLY WITH RESPECT TO AVAILABILITY OF SPANISH OFFICIALS. VANCE

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